

MINUTE ITEM

This Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 2
to 0 at its 5-27-76
meeting.

CALENDAR ITEM
C5.

5/76
W 320.171
RJV
PRC 5119

USE PERMIT

APPLICANT: Kenneth D. Simon
P. O. Box 759
Bethel Island, California 94511

AREA, TYPE LAND AND LOCATION:
A 2864 square foot parcel of tide and submerged
land in Sandmound Slough at Bethel Island,
Contra Costa County.

LAND USE: For 2 berth covered boat house, ramp, stairs,
gangway and covered platform.

TERMS OF PROPOSED LEASE:
Initial period: 5 years, from April 1, 1976.
Surety bond: \$1,000.

CONSIDERATION: \$100 per annum.

BASIS FOR CONSIDERATION:
\$100 fixed rental for this type of lease or
permit.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:
1. Surety Bond: \$1,000 has been received
2. Environmental Impact Report is not required.
This transaction is within the purview of
2 Cal. Adm. Code 2907(a) which exempts the
replacement or reconstruction of existing
structures and facilities where the new
structure will be located on the same site
as the structure replaced and will have
substantially the same purpose and capacity
as the structure replaced and there is no
evidence of record to show injury to ad-
jacent property, shoreline erosion, or
other types of environmental degradation. 621

A 10

S 7

CALENDAR ITEM NO. C5. (CONTD)

3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use. Staff review indicates that there will be no significant effect upon the identified environmental values. This is for the reconstruction of an existing facility for which no adverse comments have been received.

EXHIBITS: A. Land Description. B. Location Map,

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100 ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ.; OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO KENNETH D. SIMON OF A 5-YEAR USE PERMIT FROM APRIL 1, 1976; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH PROVISION OF A \$1,000 SURETY BOND; FOR A 2 BERTH COVERED BOAT HOUSE, RAMP, STAIRS, GANGWAY AND COVERED PLATFORM ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 320-171

A parcel of tide and submerged land in the bed of Sandmound Slough, Bethel Tract, Contra Costa County, State of California, being more particularly described as follows:

COMMENCING at the most southerly corner of Lot No. 81, Pleasants subdivision, as shown on the map recorded in Map Book 27, at page 26, of Contra Costa County Official Records, filed May 9, 1944; thence along the waterward line of said Lot No. 81 N 38° 54' E 10.00 feet to the TRUE POINT OF BEGINNING; thence leaving said waterward line S 51° 06' E 27.00 feet; thence S 38° 54' W 10.00 feet; thence S 51° 06' E 46.00 feet; thence N 38° 54' E 42.00 feet; thence N 51° 06' W 46.00 feet; thence N 38° 54' E 6.82 feet; thence N 51° 06' W 27.00 feet to the northeasterly corner of said Lot No. 81; thence along the waterward line of said Lot No. 81 S 38° 54' W 38.82 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

END OF DESCRIPTION

Prepared *James S. Polvin* Checked *Roger R. Blake*
Reviewed *James S. Polvin* Date *9/26/75*

